22

Prerogative and *Privilege*

Repreſented in a

SERMON

IN

The Cathedral Church of *Rocheſter* in *Kent*, *March* 18. $168\frac{3}{4}$.

AT THE

Aſſizes holden before the Lord Chief Juſtice *Jones*, and Mr. Juſtice *Charlton*.

Preach'd and Publiſh'd at the Requeſt of

Archibald Clinkard, Eſquire,

In the third year of his Shrievalty.

By RICH. FORSTER, M. A.
Rector of *Beckly* in *Suſſex*.

LONDON,
Printed for *B. Tooke* and *W. Kettilby*, at the Ship, and the Biſhops-head in St. *Pauls* Church-yard. 1684.

TO THE

Honourable *Archibald Clinkard* Eſq;

High Sheriff, and one of the Deputy Lieutenants of the County of *Kent*.

THAT Great Office, Sir, which was uſually thought a Burden, and perhaps ſometimes laid as ſuch; You, being at firſt Recommended to His Majeſty by ſome of the Nobility and Gentry of your County, did in a Time of Difficulty embrace with Cheerfulneſs and Reſolution, as an Honourable Occaſion to ſhew your unſhaken Fidelity to the Crown. And this Truſt you diſcharg'd ſo ſucceſsfully that it has been twice conferr'd on You ſince, as a Mark of your Royal Maſter's Value for your Service, and that without the Envy of the Numerous Gentry of your County; in which, I am confident, You have not one Enemy that is not ſuch to the Government. Where your Prudent Conduct, and the Example of your Loyalty and your Courage have had ſuch powerful Influence as to encreaſe the Number of the King's Friends and to **Dash the Hopes** of

 his

his Enemies. As for my own part, Sir, I am ſenſible that the Subject of the following Diſcourſe will fall under diſadvantages by my management, having crowded things together, which I could with more eaſe have given a larger compaſs to; where having expos'd ſome of the Doctrin and Practice of a reſtleſs Faction, I expect 'twill be ſaid, I **have no Religion but Loyalty**; *Yet ſince 'tis likely to be by Thoſe that have not much of either, I am leſs concern'd for their Cenſure, than for that of Thoſe who know me better, and yet would neither expect me in the Pulpit on ſo Publick an Occaſion, nor in the Preſs on Any: But Theſe will be reconcil'd, I hope; ſince no fond Perſuaſions of my own Abilities drew me into the Firſt, or of my Performance into the Latter. For as I Preach'd by your Appointment, ſo I have publiſh'd the Sermon at your Requeſt, in which You told me ſome Gentlemen, that heard it, concurr'd with You. Though I am ſure there is Nothing in it can recommend it to their Eſteem, ſo much as that Honeſt Mind wherewith it was firſt deliver'd, and that Dutiful Reſpect, wherewith 'tis now offer'd by*

Mr. H---st.

Sir,

Your very humble and oblig'd

Servant,

Rich. Forſter.

An Aſſize
SERMON

Preached at

Rocheſter in *Kent.*

The Holy Ghoſt by the Mouth of *Solomon* in the 17. Ch. of *Proverbs*, v. 26. has ſaid,

To puniſh the Juſt is not good, nor to ſtrike Princes for Equity.

GOVERNMENT is a thing of that mighty Conſequence to the univerſal benefit of Mankind, that the good Spirit of God which firſt *moved upon the Face of the Deep*, and brought all things out of Darkneſs and Confuſion into Light and Order being the firſt Author of it; and looking upon himſelf oblig'd to take care of his own Handywork, has through the whole Scriptures (thoſe Waters of Life and Fountains

of Immortality) diſcover'd a very great concern for the peace and ſecurity of it. Not one Book ſcarce amongſt thoſe holy Records but preaches that juſt Obedience which Subjects ought to pay to thoſe *Powers and Principalities that are ordained of God*, and which is recommended as the Author of long Life and all the bleſſings of it: whilſt Reſiſtance to Authority is repreſented black and diſmal even the Parent of *Damnation*. So much care has God taken to recommend effectually to our Eſteem and Practice the Grace of Obedience, and to render the ſin of Reſiſtance the Object of our Hatred.

Exod. 20. 2. Epheſ. 6. 3.

Rom. 13, 2.

Yet notwithſtanding this care, the Devil of Rebellion has too often and too ſucceſsfully *transform'd it ſelf into an Angel of light*, even to the *deceiving* of thoſe that fondly ſtile 'emſelves *the very Elect*: and by addreſſing to the Malice and Revenge of ſome, to the Ambition and Covetouſneſs of others, has gain'd many Proſelytes; and led Legions againſt their natural Soveraigns, as once its old Father the Devil againſt his Maker.

But it has been always the endeavour of prudent Governours to fortifie their Subjects againſt this *Doctrin of Devils*: and accordingly we find

find all thoſe Sacred Penmen, that were honour'd with Soveraign Authority, very induſtrious to propagate the wholſom precepts of Submiſſion: as I might inſtance in *Moſes* and in *Joſhua*, in *Samuel* and in *David*, as well as in *Solomon*. Nor can their Authority ſurely be excepted againſt as partial, ſince God has ſo much ſhare in it as to own that *All Scripture was given by Inſpiration from him*, of which the *Proverbs* are a part. 2 Tim. 3. 16.

In theſe you cannot expect much connexion, but many excellent Rules of Life certainly has this wiſeſt of Mankind giv'n us by the Spirit of God: and amongſt the reſt, of Government on one hand and Subjection on the other; he often provides for the Honour and Majeſty of the Prince, nor does he forget the Subjects eaſe and happineſs, which will be chiefly owing to the conſcientious diſcharge of his own private Duty, in *fearing the Lord and the King and not medling with them that are given to Change*: and in my Text addreſſes himſelf both to the Prince, and to the People, telling the one that *to puniſh the Juſt is not good*, and the other, that neither is it good *to ſtrike Princes for Equity*. c. 24. 21.

Where our laſt Engliſh Tranſlation has done very conſiderable Right to the Original beyond

any that went before it in what Language ſoever: and the uſual acceptation of the word *Equity* with us, which claims a Right to regulate ſome things, which the ſtrict Letter of the Law is not impower'd to do, makes it very ſignificant.

The Original word *NADIB*, which ſometimes retains it's primary ſignification of Liberal and Magnificent, is here and elſewhere in the 70, tranſlated by Δυνάστης Prince, ſometimes by Ἄρχων Ruler, and twice by Βασιλεὺς King. For that *Solomon* did here principally intend the *Supream*, from whom all Right of Puniſhment is deriv'd, though it may very reaſonably be extended to his Repreſentatives too, may be inferr'd from the remarkable oppoſing of one part of the Text to the other, and from his uſe of the word elſewhere. *Ch.* 19. *v.* 6. *Many will intreat the favour of the Prince*, in all likelihood the *Soveraign*, which is one of the places, where the 70 have render'd it Βασιλεὺς King. And *c.* 25. when he inſtructs us in that reverend Behaviour we are oblig'd to in the preſence of Majeſty, whom he ſtiles *King* in the 6. *v.* in the 7th. he calls *Prince*.

Pſal. 147. 10. 83. 12. 113. 8. Num: 21. 8. Prov. 19. 6.

The old ordinary *Gloſs* takes it for a Secular Judg or Prince whom God would not have ſtruck

ſtruck at (he ſays) for our own ſafety : and *Lyra* expounds *Striking* by *Killing*, and inſtances in *Iſmael*'s murder of *Gedaliah* Supream Governour in *Judah* under *Nebuchadnezzar*, though not a formal King ; for which he is ſeverely condemn'd by the Holy Ghoſt : the whole ſtory of which Tragedy is appointed by our Church to be read upon the Anniverſary Faſt of our late King's Martyrdom. Though *Striking* does naturally extend to all leſſer acts of Violence ; and the Prohibition of it may even lay a reſtraint upon the Tongue as well as the Sword, and not give us leave ſo much as *to ſpeak evil of Dignities* or *of the Ruler of our People*. Jerem. 41.

Having ſaid thus much towards the explaining of the Text, I may from thence obſerve

1. *The Obligation of a Prince to protect his good Subjects, and to puniſh only the Bad.*
2. *The Duty of the Subject to pay a loyal and humble Obedience to his Prince without any Attempts of Reſiſtance.*

Or if you have a mind to take it in the modern Stile. Here are two things adjuſted by *Solomon*, which Some in our days are unwilling ſhould agree, and Others ſay they never can.

The

The *Priviledg of the People*, and the *Prerogative of the Prince*. The *Liberties of the Subject*, and the *Rights of the Crown*.

The *Liberties* of the *Subject*, That they ought not to be unjuſtly puniſh'd, but to have their Lives and Properties ſecur'd; The *Rights* of the *Crown*, That it ought not to be ſtruck at upon any Pretenſions of Equity.

Of theſe in their Order, and firſt of

The *Priviledg* of the *People*, or the *Obligation of a Prince to protect his good Subjects, and puniſh onely the bad*; Which muſt ſuppoſe a Power in him ſufficient for the diſcharge of both. Becauſe Government being liable to be diſturb'd by wicked Men, 'tis impoſſible the welfare of the Publick can be ſecur'd without a ſufficient Authority lodg'd in the hands of the Supream Magiſtrate, and thence communicated to the Subordinate to inflict Puniſhment upon the Offender according to the nature of his Crime: which the more deſtructive influence it has upon the Government, the more ſevere and exemplary is the Penalty. And thus we find *Eſra* commiſſion'd by *Artaxerxes* to *execute Judgment upon him, who would not obey the Laws of God and the Laws of the King, to Confiſcation of Goods, or Impriſonment, to Baniſhment or Death.* Eſra 7. 26.

For

For notwithſtanding 'twas one of the Opinions of the old *Manichees*, reviv'd by ſome hot *Anabaptiſts* of late, that 'tis unlawful in any caſe to puniſh Chriſtians with Death; yet the *Jus vitæ & Necis*, The Power of Life and Death, which the Patriarchs of old wanted not, Soveraign Princes have by the Law of Nature juſtly challeng'd and exercis'd: and may lay further claim to it by the Poſitive Law of God, ſince 'twas one of the ſeven Precepts to *Noah*, That *whoever ſheds Man's Blood, by Man ſhall his Blood be ſhed.* Gen. 9. 6.

Nor has our holy Religion or its bleſſed Author Jeſus any ways clip'd the natural Right of Kings, but has in this very particular confirm'd it, when he that was *Truth* it ſelf did ſay, *All they that take the Sword*, i.e. without lawful Commiſſion, *ſhall periſh by the Sword.* Matth. 26. 52.

Much more I could fetch from Scripture, but I ſuppoſe this ſufficient to juſtifie the Soveraign Princes claim to the *Jus Gladii*, the Power of the Sword, which is more neceſſary for us Subjects to know in order to our patient ſubmitting to it, than to enquire after his Duty in the exerciſe of this Power; whereof we need not be affraid as long as we do well, ſince the holy Ghoſt has told us, he is the *Miniſter of God to us* Rom. 13. 3. 4.

for

for good, on condition we be ſo our ſelves; that he ſends his Repreſentatives for *the praiſe of them*
1 Pet. 2. 14. *that do well*, that is for their Protection in the practice of Religion, and one of its prime Vertues, Loyalty, and the reſt which the *Spirit* of God
Gal. 5. 23. intitles himſelf to as his own *fruits*, *Love*, *Joy*, *Peace*, or as they may be better render'd, Charity, Chearfulneſs, Peaceableneſs, *&c.* all accompliſhments of good Subjects, againſt which he affirms *there is no Law*: but if you enquire for whom 'tis enacted, St. *Paul* gives you a long Beadroll of Offenders, for whom the Law is
1 Tim. 1. 9. made and not for the Righteous; for *the Lawleſs and the Diſobedient*, for *Murtherers of Fathers*, civil
2 Tim. 3. 4. as well as natural: for *heady*, *high-minded Traytors*, &c. To which you may add St. *Judes Murmurers* and *Complainers*; and St. *Peter's Preſumptuous and Self-will'd*, *that deſpiſe Dominions*, *and are not affraid to ſpeak evil of Dignities*: Or in one word, 'tis for the *Unjuſt* according to the Text. So great ſecurity has God provided for Liberty and Property, that the Religious and the Good, the Obedient and the Loyal are to be protected and encouraged, the Wicked and the Factious, the Seditious and the Rebellious to be chaſtis'd and cruſh'd: for the Argument is plain, that if it be *not good to puniſh the Juſt*, to puniſh the *Unjuſt* muſt be ſo.

Jude, *v.* 16.
2 Pet. 2. 10.

After

After all, notwithſtanding the Power of the Sword be allowed the Prince, were it not to be drawn before all reſtrictive Caſes about the wielding of it be reconcil'd it might for ever ruſt in the Scabbard. For Mr. *Baxter* in particular has for ever caſhier'd the uſe of it againſt Offenders, provided they are too many and too ſtrong to be chaſtis'd by the common Methods of Law. Of all the numerous Advocates for Reſiſtance, He being the onely Man that I know that has made it utterly unlawful for a Prince to defend his own juſt Rights by War, or for any of his Loyal Subjects to aſſiſt him in it, againſt a Rebellion of the Body of the People, be it never ſo unjuſt in them; though he has found out ſome that are not ſo. And the one onely Remedy he provides the Prince in this Caſe, I am ſure, is very unexpected to them that have not ſeen it, *viz.* **to lay down his Crown, if his Injury be too great to be born**: nay, at laſt he makes it his **Duty to reſign**, and **no Injury to be deprivd of it.** Which is an Opinion fit onely for a through-pac'd **Preſbyterian** to aſſert: and is ſo monſtrous that I believe it needs no further Confutation than barely to repreſent it.

Holy Commonwealth. *Theſ.* 350, -1, -2, -3, -4, -5.

Theſ. 357.

Theſ. 354.

But to leave this extraordinary Caſe, and to confine our ſelves to the common Proceſs of

Law. Should the Magiſtrate hearken to all Pretenders, we ſhould come to that paſs that were it real would be very happy indeed, *viz.* that there would be no Offenders to be puniſh'd. Every of 'em would by one Plea or other excuſe himſelf as one of the *Juſt* that has a Right to Impunity from the Text. And thus is it no wonder for a **Criminal**, when overtaken by this Sword of Juſtice, to tell the World he dies a **Martyr for the Truth of God**: But when he ſhall explain this **Truth of God**: to be the **Good old Cauſe**, too well known in the Nation to be that of Rebellion againſt the King, 'tis ſtrange indeed that Any beſides Thoſe that are imbarqu'd in the ſame Cauſe or wiſh well to it can, upon the Account of ſuch a Criminal or any of his Accomplices, ſay with the Murmurers in the Caſe of *Korah*, *Dathan*, and *Abiram*,
Numb. 16. 41. thoſe old Fanatick Traitors, that *Moſes*, that the Magiſtrate, has *kill'd the People of the Lord.* After Legal Trials to arraign the Juſtice of a Nation is unreaſonable, but after the Confeſſion of ſeveral Criminals to the Fact though they ſhould deny the Guilt, to aſſert their Innocence muſt be impudent.

Beſides theſe We have other Complaints tho perhaps from the ſame Mouths, the **Diſſenters**

of

of our Age; A Name all the various Clans of our modern Schiſmaticks are beſt pleas'd with, next that of the True Proteſtant. Some ſtriking at the Root of the Magiſtrates Power of inflicting Penalties in matters of Religion, tho there be a *King* in our *Iſrael* (thanks be to Heaven for defeating the black Deſigns of ſome of 'em) do very earneſtly deſire a Liberty in every Man to do, in reference to his God, *what is right in his own Eyes.* Others open againſt the Exerciſe of it; and if the *Juſtice*, and the *Jury* are not of Opinion that the Puniſhment of the Diſſenters is a **weakning to the Proteſtant Intereſt**, or an **Encouragement to Popery.** If the gentle Penal Laws againſt 'em be put in Execution (for as for the Severeſt againſt which there has been ſo much Heart-burning and Heaving of late, intitled onely to keep the Subjects of this Realm in due Obedience to the Crown, ſuch has been the Mercy of the Crown, that it has not giv'n 'em many Martyrs to boaſt of from its Rigour) They fancy themſelves preſently the *Witneſſing Saints*, and ſay they are *perſecuted for the Name of Chriſt*, and would be thought to *take the ſpoiling of their Goods joyfully.*

Judges 21. 25.

35 *Eliz.* 1.

Rev. 11. 3.

1 Pet. 2. 19.

Heb. 10. 34.

To give a juſt and full Anſwer to all this doleful Cry would exceed the Limits of half

an Hour. But ſince ſuch is the indulgent Care of our Prince to commiſſion his Repreſentatives hither, *ut currat Lex*, which I will Engliſh by that of the Prophet, that *Juſtice may run down like Water, and Righteouſneſs like a mighty ſtream*, even at our own doors. It may not be amiſs in vindication of our Legal Proviſions to hint in ſhort, that

Amos 5. 24.

1. The Power of the Chriſtian Church was by the Inſtitution of its holy Author purely ſpiritual: and therefore ſince thoſe that ſlighted her Commands were not like to value her Cenſures, 'twas but reaſonable that the Civil Magiſtrate, when he embrac'd Chriſtianity ſhould contribute to the ſupport of it, by fortifying the Decrees which the Church in ſubordination to the Scriptures ſhould make, with temporal Penalties, eſpecially when thoſe extraordinary Effects, which ſometime attended the Power of the Keys, did ceaſe upon the Incorporation of the Church into the State. And if Kings were to be *Nurſing Fathers*, they muſt have ſurely ſome Authority to Puniſh. Wherefore

Iſa. 49. 23.

2. Since our Diſſenters are ſo notoriouſly diſobedient to the Conſtitutions of the Church, their Plea of Perſecution muſt be falſe. For the Cauſe, not the ſuffering makes the Martyr. And though

though they ſet forth themſelves for the *Juſt* Perſons in the Text that ought not to be puniſht 'tis but with the ὑποκρινόμενοι ἑαυτὺς δικαίους in the Goſpel, thoſe that hypocritically pretended themſelves to be ſo. Though they talk much of *Goſpel Purity*, there will be Peeviſhneſs and Obſtinacy, Faction and Sedition found in the Retailing and Propagating their peſtilent Opinions to the diſturbance of the Church & State. Luke 20. 20.

3. Such unhappy Influence in the third place has the practical Exerciſe of their Diſſent upon the Government, that it cannot be ſafe, whilſt their Schiſmatical Aſſemblies are on foot. Which were it not ſufficiently plain from the Nature of the Thing, from the Hiſtory of the Schiſm, and from the Opinion of the King and the three Eſtates of the Realm in their Prefaces to their ſeveral Laws about 'em, would appear further from our laſt Fanatick Conſpiracy (for we have had ſeveral) the principal Agitator and Sollicitor of which betwixt all Parties was an Eminent Preacher in a Conventicle. The King's Declaration, *July* 27. 1683.

'Tis true, They talk much now of *Moderation*, *Soberneſs* and *Peace*, and by theſe ſpecious Names have warp'd many ſo far to compaſſionate their Caſe as to forget their ſtedfaſt Duty to the Government. But though their *Words are ſmoother*

ſmoother than Oil, yet we have reaſon to fear that War is in their Hearts ſtill, as well as the Weapons of it were once long in their Hands. And how Moderate, how Sober, and how Peaceable they were then, let their Sequeſtrations and their Decimations, their Plunders and their Murders ſpeak. When a Gariſon Chaplain at the Commencement of a Treaty could repreſent the danger of making Affinity with "*Ahab an Idolo-*"*trous King*, or with *Jezabel* the *Queen*, could ad-"viſe not to ſpare ſo much as the **Neutraliſts** "of that Age: to cruſh the Malignants, like "Nettles, that they might not ſting, and at laſt "to purge the Malignant Humors from the "Nobles and Gentry, by the **Law of the** "**Sword**, ſince the Sword of the Law would "not do it. And was not this the general Language of the Pulpit then? When not *Meroz* only but every one was curs'd from *Dan to Beerſheba*, that *came not up to the Help of the Lord againſt the Mighty*, or kept *back his Sword from Blood*? When the *Honour to bind their King in Chains and their Nobles in Fetters of Iron*, would not content theſe *Saints*? When nothing leſs than the Deſtruction of *Jeroboam* with his *Prieſts* and Evil Counſellors would pleaſe theſe Reformers? And do we need a Key to decipher all this Jargon?

Mr. *Love* in his *Uxbridg* Sermon. *Pa.* 37. *Pa.* 26. *Pa.* 32. 37. Jude 5. 23. Jer. 48. 10. Pſalm 149. 8.

Where

Where was their *Moderation*, when at the Dividing of their Prey, they fell like Cannibals to devour one another? as I might inſtance in the mutual Hoſtilities of thoſe two Termagant Sects, the **Presbyterian** and the **Independent**, as they ſucceſſively got into the Saddle.

But we need not wander ſo far, ſince the late Ferment of our Kingdom will give ſufficient Specimen of their Temper. What Pangs and Throws had the whole **Schiſm** and its **Factious Patrons** upon each Criſis of the State? Whence 'twas eaſie to imagin it went big with ſomething: and could it be better than a Monſter of Rebellion, when Faction and Sedition ply'd openly as Midwives to attend the good Hour, that *Hour of Darkneſs*, though, thanks be to God, there was no ſtrength to bring forth?

But oh! I tremble to follow theſe Religious Hypocrites into the Dark, where inſtead of *Soberneſs* and *Peace*, we ſhould find as great Abominations as the Prophet complains of in the *Ancients of Iſrael* who in *the Chambers of their Imagery* ſaid, *the Lord ſees not, the Lord has forſaken the Earth.* Ex bk. 8. 12.

To let the Curtain reſt therefore upon thoſe dark and bloody Scenes of the late **Aſſociation** and later **Conſpiracy** betwixt our Republican

lican Saints, and our Atheiſtical Republicans, with what Temper did they purſue thoſe Darling Projects (thoſe **Righteous ends** as they call'd 'em) in Proſecution of which in their *Vox Patriæ* they laid **Lives and Fortunes** at the Feet of their Fellow Subjects? When the old native Channel was to be left and *new Ciſterns* hew'd for the Royal Blood to run in. When the Government was to be broken immediately, for fear of its Falling hereafter. When the Foxes were to be let in to kennel in the *Vineyard* to guard it againſt *the Wild Boar of the Wood.* When the **Fanaticks** would have level'd all our Fences and have cut their ſeveral Ways into our Church to ſecure it againſt the **Papiſt**, in a prepoſterous Zeal, ſome through the Windows, others through the Roof, which was once fulfill'd to a Letter when they Sacrilegiouſly made prize of Glaſs and Lead. Indeed ſhould we make our Doors wide enough to admit 'em all, as they are, we ſhould have no Walls left to ſupport the Roof, at leaſt we ſhould be a *Houſe divided againſt it ſelf*, which our Saviour has pronounced *can never ſtand.*

Matth. 12. 25.

But having ſaid thus much in anſwer to their ſeveral Clamors, I will at preſent follow theſe Wandring Stars no further: but only pray that like

like good Chriſtians and true Subjects they would abandon their by-ways and addreſs to the publick profeſſion of our Religion and pay a dutiful ſubmiſſion to the Eſtabliſhment of it, that they may in truth and righteouſneſs have a ſound Title to the Impunity which *Solomon* in the Text has provided for the *Juſt* Subject as his Priviledg.

But for fear the People by ſuch a Proclamation of their Liberties, when they ſee that Heaven takes 'em into its Care might be tempted by violence to defend 'em upon Earth. When they feel or fancy their **Rights to be invaded**, leſt they ſhould endeavour to **aſſert** 'em in the modern Phraſe, *i. e.* by Rebellion and Bloud. Should the Prince inſtead of Protecting and Encouraging *puniſh* and perſecute the *Juſt*, for fear they ſhould challenge this further Right to take up Arms in Defence of all the reſt, and to Depoſe or Execute their King: The Holy Ghoſt aſcertains the Prerogative of the Crown as well as the Priviledg of the People, making a formal Declaration that *it is not good to ſtrike Princes for Equity.* Which is the Second Thing obſerv'd, and comes now to be ſpoken to.

The Duty of the Subject to pay a loyal and humble Obedience to his Prince; without any Attempts of Reſiſtance.

So Sacred does Almighty God make the Perſon of a King, who is the moſt lively Repreſentative upon Earth of his own Majeſty in Heaven, that the moſt plauſible Pretenſions of Equity will not impower us to offer any Act of Violence to him. No male-Adminiſtration, Severity or Injuſtice will warrant an Aſſociation or Conſpiracy of his Subjects by force of Arms to bring him to Reaſon or Juſtice, or what they ſhall pleaſe to call ſo. No High Court of Juſtice on this ſide Heaven can take Cogniſance of his Crimes. No *Chancery* to be erected of Ruffians in Buff to carve out *Equity* with the Sword by *ſtriking of their Prince*, or to ſupply the Defects (as they will call it) of the Law with the Conſcience of an Army. Since Subjects are obliged to pay an active and chearful Obedience to their Prince where his Commands are not contrary to the Laws of God, and where they are patiently to ſubmit without any Attempts of Violence, the unlawfulneſs of which I will endeavour further

to

to evince by representing the Doctrin of Resistance as inconsistent with

1. *The Original and End of Government,*
2. *The Positive Law of God and the Nature of our Religion;* and lastly (*to bring the Argument home*) *with*
3. *The Municipal Laws and Constitution of our own Kingdom.*

1. For *the Original of Government*, it can be no other than God himself; tho our late Republican Rebels did in a Solemn Vote intitle the **People to be the Original of all just Power.** And 'tis the Doctrin of the **Faction** still as well as of the *Leviathan*, a Book wrote even by the Confession of its Author to curry Favour with a Usurper. That all Mankind was once free from the Yoke of Government, and that by Contract onely they submitted to it. Which wild Assertion bottoms upon the fabulous Heathen story of Men at first starting together *ex Gremio Naturæ*, out of the Earth or some such as unintelligible a Way.

Jan. 4. 1648.

E. of *Clarendon* Survey of the *Leviath.* Introduct.

But to us that have a rational and infallible Account of the Creation and Peopling of the World, nothing surely can be more absurd.

For the first Man was certainly subject to his Maker, and the second to his Father. So that Government and Mankind are contemporary Creatures of the same Almighty Hand. And as this encreas'd, so that spread. The Father of each Family being King and Priest over his Dependents.

And upon this Right of Paternity were the greater Societies of Kingdoms founded. Which Notion was sometime since improv'd into a strong and regular Discourse by a *Learned Gentleman* of this *County*, render'd so famous by the inveterate, and I may say fatal, Quarrel of a late Criminal against it, that I need not name it. So that if Children had no Right to strike their Father for Equity, nor Servants their Master, Subjects ought not to demand it against their Prince.

Sir *Rob. Filmer.*

Of whose Authority God does expresly own himself to be the Fountain, when he says, *by Me Kings reign.* (*a*) Well then might the *Book of Wisdom* (*b*) affirm, that *Power was giv'n 'em from the Lord* and *Sovereignty from the Highest*, who (and who onely) *should try their Ways.* And St. *Paul* (*c*) that the Emperour of *Rome* was the *Minister of God.* Tho Mr. *Rutherford* (*d*) would rather interpret it of the Senate, for the sake of a Parliament,

(a) Pro. 8. 15.
(b) c. 6. v. 3.
(c) Rom. 13. 4.
(d) *Lex, Rex.* qu. 4. qu. 9. 33, 41.

liament, which to him and Mr. *Baxter* (*e*) was the Sovereign Power.

(e) H. Commonwealth, *Præf.* p. 6. pa. 460. 486.

Certain it is the Scriptures do ſuppoſe the Supremacy in a ſingle Perſon; and all the Precepts of Obedience to Authority are primarily adapted to Monarchy. For the Excellency and Antiquity of which Form of Government I could give the Teſtimony of Divines, Hiſtorians, Poets and Philoſophers, and even of *Plato* himſelf, whoſe Aſhes have been diſturb'd of late to patroniſe a *Commonwealth*. But having ſaid thus much as cloſely as I could for the Original of Government, it may ſuffice to infer that Reſiſtance is inconſiſtent with it, ſince it encounters the *Ordinance of God*. And it will be found to carry as great a Contradiction to the End of Government too, *i. e.* the Good of the Community.

Deut. 17 14. Luke 2. 1. and 3. 1. Luke 20 25. Joh. 19. 12. 15. Acts 11. 18. & 17. 17 & 25. 11. 1 Tim. 2. 2. 1 Pet. 2. 13. Rom. 13. 2.

For tho *Barclay* has made two extravagant Caſes to juſtifie a Rebellion, tho *Grotius* has added as many as might excuſe that of his Countrymen in throwing off the *Spaniſh* Yoke. Tho the *Scotch* and *Engliſh Divines*, I juſt now mention'd, have encreas'd 'em without number to juſtifie that againſt our Royal Martyr and his Great Son; yet certainly be the Diſeaſe never ſo bad, this Remedy will inevitably be worſe.

Adverſus Monarch. *De Jur. Bell. & Pac.* *Lex Rex.* Holy Commonwealth.

To

To take the Calamities of a Civil War for a Relief againſt the Tyranny of a Prince, is to exchange Whips for Scorpions. For the little Finger of Rebellion is heavier than all the Loins of Arbitrary Power; and there has been more Bloud ſhed in domeſtick Broils than by all the Tyrants from the Creation.

* *Lex, Rex.* q 9. Mr. *H.*

We have I know been * formerly told, that a People cannot ſo readily deſtroy 'emſelves as one Man may; and of late (to be ſure with no good Deſign) that though a Prince may, 'tis hardly poſſible that Mankind ſhould miſcarry in their own hands. But we have reaſon to ſuſpect the Truth of this Poſition; for ſhould the People take that pernicious Advice which is inſinuated from the ſame treacherous Hand, and by Arms defend their Charters; if an Argument from Experience has any weight and what has been may be, They will in all probability render 'emſelves the more miſerable. 'Twill not be in the Power of thoſe that firſt rais'd it to lay the evil Spirit of Rebellion, ſeeing He onely that *rules the raging of the Sea can ſtill the Madneſs of the People.*

As the Villany ſucceeds, a **Council of Sir** may be outſtrip'd by more furious, Drivers: The **True Proteſtant Lords** that began the

the Quarrel may be voted down as uſeleſs Tools to make room for a **Brewer** or a **Drayman.** And the great **Patriots** that firſt fought for *Liberty* and *Property* may be Slaves and Beggars in the End, as well as thoſe they Deſign'd to make ſo: and get nothing but Repentance, which if it be ſincere, will be their beſt Purchaſe. Beſides, whereever the Government be lodg'd at long run, 'tis not certain 'twill be better manag'd by the Truſtees or long lik'd by their Maſters the People. And ſo this Right of Reſiſtance will entail upon the Publick a perpetual Neceſſity or Danger of War.

But on the other hand, if at laſt the Prince's Arms be Crown'd with Victory, the Reſiſters that eſcape the Sword will forfeit thoſe Lives and Fortunes to the Law, which afore they had but Fears and Jealouſies might fall a Sacrifice to *Arbitrary Power.* And tho He be not ſo bad as they would make him, they will have no Reaſon to expect an Indemnity to put 'em in a Condition of giving him the ſame Diſturbance for the future. Yet ſhould he be ſo merciful, it ought ſurely one would think, to influence their Gratitude ſo far as to oblige 'em not to make ſo ill a Uſe of it.

So

So that if the *Salus Publica* the Good of the Publick foreclose the Prince, and be reſtrain'd as ſome would have it, onely to the People, it muſt be their own Intereſt, that the Prince be accountable to none but God, and that they pretend to no Authority to *ſtrike him for Equity*.

Having thus briefly argued againſt *Reſiſtance* from the Original and End of Government, I will in the ſecond place addreſs to

2. *The Poſitive Law of God, and the Nature of our Religion.*

Where I might repreſent it as incompatible with that Honour and Obedience we are oblig'd by the fifth Commandment to pay the Father of our Country as well as of our Fleſh, and which muſt prolong our days in the Land which the Lord our God has giv'n us, whilſt Reſiſtance brings both the green and the gray Hairs *with ſorrow to the Grave*. I might enlarge upon the Heinouſneſs of their Offence as well as the Dreadfulneſs of their Puniſhment, who *periſh'd in the Gainſaying of Core*. I could ſhew you where the Seditious Boutefeus and the wicked Conſpirators are branded with the infamous Title of the (*a*) Sons of *Belial*. I might inſiſt upon the

Numb. 16.

Jude v. 11.

(*a*) 1 Sam. 10. 27.
2 Sam. 20. 1.
2 Chron. 13. 7.

Sacred

Sacred and inviolable Character of a King, which is more than once aſſerted by (*b*) *David* and by (*c*) *Solomon*: or on the Curſes pronounc'd upon thoſe Factors for Confuſion, that encourag'd the captive *Jews* to take up Arms againſt *Nebuchadnezar*.

(b) 1 Sam. 24. 6. 1 Sam. 26. 9. 2 Sam. 1. 14. Pſalm 51. 4.
(c) Prov. 20. 2. & 30, 31. Jer. 28. 16. c. 29. 7, 22, 23, 31.

But I will confine my ſelf to the Doctrin of the Holy Jeſus, God bleſſed for Ever, that Preacher and that Pattern of Submiſſion to the Higher Powers.

How peaceably did He compleat his Deſign of laying the Foundation of our Religion upon the Doctrin of the Croſs? He not onely charg'd his Followers to *render to Cæſar the things which are Cæſars*, in the time of *Tiberius* a Heathen Emperour, but did upon all Occaſions diſclaim any temporal * Authority, and inſtituted his Church without any. And whilſt He himſelf, the Head of it, was on Earth, He reprov'd * *Peter* for his unlawful Reſiſtance, when the greateſt Innocence in the World was violated in his own Perſon. And being brought to his Trial before the *Roman Governour*, he demur'd not to the Juriſdiction of the Court, but pleaded he could be no Traitor to *Cæſar*, as his Perſecutors had maliciouſly repreſented him, ſince his Kingdom was purely ſpi-

Luke 20. 25.
* John 18. 36.
* Matt 26. 52. Luke 22. 51. John 18. 11.
Luke 23. 2. John 19. 12.

ſpiritual, and like a true and loyal *Amicus Curiæ* aſſerted its Authority over him to be derived from Heaven.

John 15. 11.

This Example of his Maſter did St. *Peter* after better Information make good uſe of, when in the time of *Claudius* or *Nero*, when there was not one Chriſtian Magiſtrate in the World, he preach'd Submiſſion to the Emperour and his Repreſentatives, and not *onely to the Good and Gentle*, but to the Perſecutor too. That *this is the will of God* and *to this we are call'd*, ſuch is the Nature of our Religion. That this is the Way to *follow Chriſt's ſteps*: The means to *put to ſilence the Ignorance* and Malice of *Fooliſh Men* who accus'd the Chriſtians as Diſturbers of the Publick Peace.

1 Pet. 2. 13, 14.

Verſe 15. 18. 21, &c.

Phil. 2. 5.

Nor muſt we forget St. *Paul's* charge to *every* Chriſtian *Soul* at *Rome* to be ſubject to the Emperour and his Miniſters, *not onely for Wrath but Conſcience ſake*, not onely for fear of Puniſhment, but out of a Senſe of Duty. Whoſe Authority when he had aſſerted to be the *Ordinance of God*, he pronounces *Damnation* to them that *reſiſt* as their dreadful Doom.

Rom. 13. 1, 2, &c.

After all this who can maintain the Doctrin of Reſiſtance or *Striking Princes for Equity* without Renouncing Chriſt and his Apoſtles? And

poſ-

poſſibly 'twould be more honourable with *Julian* himſelf to turn Apoſtate, than with his infamous *Author* to pretend to reverence their Authority, and yet to affirm that this Doctrin of theirs was but ſuited to their preſent Circumſtances becauſe they were not in Condition to rebel, and that it was onely practis'd by them and the firſt Converts to Chriſtianity accordingly. Which is to make our Saviour and his Apoſtles the greateſt Impoſtor and Hypocrites upon Earth. Mr. *Johnſon.*

As for the Number and Strength of the Primitive Chriſtians I leave him to his learned Adverſaries: Sure I am that the Son of God could have cop'd with all the Powers on Earth by commanding * *Legions of Angels* to his Guard: and had his *Kingdom* † *been of this World*, had not Prayers and Tears been the onely Weapons of his Church, his *Servants would* and ſhould have *fought*. But to teach us ſubmiſſion, though to an unjuſt Sentence, he would go as *a Lamb to the Slaughter* upon that Croſs, which was to be the Foundation of our Religion and our Happineſs.

* Matth. 26. 53.
† John 18. 36.

But we have ſome Adverſaries would be thought more candid, yet would feign be at the ſame Concluſion. Who, when we preſs

Loyalty and Submiſſion from the Poſitive Law of God, confeſs this is plainly laid down in the Scriptures, but ſay, that 'tis only in the general, and conſequently that the Obligations to Obedience from it are to be regulated by the Conſtitution of each Government: And do inſinuate that ours is one of them that allow a Latitude for Reſiſtance: Which for the Conduct of our own Conſciences and the Satisfaction of theirs, with whom we are concern'd, We are neceſſitated to enquire into. I will therefore in the next place with the leave of this honourable Audience appeal to ſome few of

3. *The Municipal Laws of our own Kingdom.*

25 Hen. 8. 12. By one of which it is declar'd that *all Sorts and Degrees of Men in this Empire owe a natural Allegiance to the King of it.* To ſuch a natural Allegiance, by the way, the Royal Preacher muſt refer ſurely when he counſels *to keep the* Eccleſ. 8. 2. *Kings Commandment in regard of the Oath of God:* For we do not read that the *Jews* were oblig'd by any Corporal Oath to their Prince, as we to ours are by ſeveral, that Cords of ſo many folds might not eaſily be broken. Thoſe of Alle- 3 *Jac.* 4. 1 *Eliz.* 1. giance and Supremacy I need not mention, which

which without a **Presbyterian** Comment would be thought to exclude the People ſufficiently, as well as the Pope, from being Supreme. That of *Clergymen*, *Militia* and *Corporation Officers* very expreſly declares it *unlawful to take up Arms againſt the King upon any Pretence*, and particularly condemns *that traiterous Poſition of taking Arms by his own Authority againſt his own Perſon or thoſe Commiſſion'd by him.* By which Men were taught to reconcile the Contradiction of fighting againſt the King and for him at the ſame time; When by the Help of that peſtilent Diſtinction of his **Perſonal and Politick Capacity**, the King's Perſon was ſaid to be with evil Counſellors on one ſide, and his Authority with the (Rebellious) Parliament on the Other.

Mr. B's H. C. IV. Pa. 460, 430.

14 Car. 2 4.

14 Car. 2. 3.

13 Car. 2. 1.

Remonſtrance and Declaration of the Parliament, *Auguſt* 3. 1642. *Lex Rex*, qu. 29.

Yet this was too groſs for ſome tender Conſciences. Our Holy Common-wealth Caſuiſt therefore, Mr. *Baxter*, found out a nicer Diſtinction to venture his Salvation upon, *viz.* the *Perſon* of the King, and the *Will* of the King. "And when he confeſſes that he engag'd in the "War; and that he was confident it was the "greateſt outward Service that ever he per-"form'd to God, that he encourag'd Thouſands "to it; that he dares not repent of it, and that he would

Pag. 476.

486.

"would do't again, ſays he meant no Harm "all this while to the King's *Perſon*, that his "*Will* was the only Enemy he fought againſt. Having forgot it ſeems what he had affirm'd pa. 422. not many pages before, that they who fight would kill.

But for ever to put the Queſtion of Reſiſtance out of Diſpute within this Kingdom 13 *Car.* 2. 6. 'tis declar'd by two ſeveral Statutes, That *Both* 14 *Car.* 2. 3. *or either Houſe of Parliament cannot lawfully levy War offenſive or defenſive againſt the King.* Tho *Rutherf. Lex. Rex.* q. 9. the *Scotch Caſuiſt* has very roundly affirm'd, pa. 59. q. 19 pa. 151. "That Defenſive Arms are ſo inſeparable a "Right of the People, that even all Oaths to "exclude 'em are ſinful and void.

By another, That *By the undoubted and fundamental Laws of this Kingdom, neither the Peers of this Realm, nor the Commons, nor Both together either in or out of Parliament, nor the People collectively or repreſentatively ever had, has or ought to have any coercive Power over the Kings of this Realm.* 12 *Car.* 2. 30.

After all this, can any Man pretend a Latitude for Reſiſtance to *Strike his Prince for Equity* from the Nature of our *Engliſh* Government? Can any Man that is privy to a Deſign of making an Inſurrection in this Kingdom,

dom, though it have but the Gentle Name of **Some Stirs**: or of ſeizing the King's Guards (**that Terrour to the good People of the Land,** as the *ASSOCIATION* calls 'em) though 'twere but to tranſport 'em beyond Sea for the ſafety of the Proteſtant Religion at home? Can any Man I ſay, that is privy to all this, anſwer for himſelf in Truth and Righteouſneſs, that he has done nothing but what does **well conſiſt with the Chriſtian Religion and the Laws and Liberties of this Kingdom**: or with St. *Paul*, *neither againſt the Law of* the Nation, *nor againſt the Temple* the Church, *nor againſt Cæſar have I offended any thing at all?* Can the concealing of ſuch Practices more advance the Dignity of this Imperial Crown and that Sacred Head that wears it than the Diſcovery of 'em; any other way than by making the Son as **Glorious a King** by ſuffering as his Father was?

Proceedings at the *Old Baily* againſt the Earl of *S.* p. 17.

Acts 25. 8.

And thus have I endeavour'd to repreſent to you the unlawfulneſs of Reſiſtance according to my Propos'd Method, and without further Application than what your own Thoughts ſhall make will draw to a Concluſion: having by the Way taken notice of ſome of the pernicious

pernicious Doctrin of the **Faction** at Home, chooſing to encounter an Enemy at the Gate rather than purſue one at greater Diſtance.

For We need not addreſs to **Hildebrand** at *Rome* for a Diſpenſation to take Arms againſt Authority, whilſt we have ſo many **Factious Rabbies** within the Narrow Seas. Nor need we croſs the Water to the **Diſciples of Loyola,** ſince they have been tranſplanted into a ranker Soil, and being water'd with Bloud, are render'd if poſſible more prolifick at home, by an **Owen,** a **Baxter,** and a **Goodwin**: by a **Rutherford** and a **Ferguſon**: by a **Milton** and a **Marvel.** Not to mention more of thoſe painful Labourers, I may ſay, in the Devil's Vineyard.

for deposing & king killing principles

For ſuch ſurely are the Men (and theſe are they) that lye for God, and like the falſe Prophets of old, *preach Rebellion in the Name of the Lord*: that pervert Scripture againſt their Soveraign as once the Devil againſt his Maker; and reading the Text backward, ſay that *it is good to ſtrike Princes for Equity*; who render to the People *the things that are Gods*, when they ſay that by them *Kings Reign*, and that *the Powers that are, are ordained* by them: And when they give Allegiance to a Parliament, render

Jer. 27. 14. 15. c. 28. 21, 32.

render to the People *the things which are Cæſars* too. Who reckon an Ax, a Ponyard or a Blunderbus among the Things that are *Cæſars* due. Who adviſe us to be ſubject *onely for Wrath*, but rebel for *Conſcience*, and encourage thoſe that reſiſt with a Promiſe of Salvation.

Such are the Men that would flatter even the very Aſhes of a bloody Uſurper with the Title of **Pious, Prudent and Faithful**, as Mr. *Baxter* in his Preface to the *Holy Commonwealth*, with that of a **Royal Joſiah**, a **Pater Patriæ**, a **Protector whom God knew Face to Face**; as Dr. *Harriſon* in his *Threni Hibernici*. And ſuch the Principles that ſacrific'd our late Royal Soveraign to **Fanatick Rage**; and with him our Church and State, and which once more very nearly endanger'd both, in the late bloody Conſpiracy againſt his Son, that Delight of Mankind as well as the Care of Heaven by that *Brotherhood of Iniquity*, thoſe *Inſtruments of Cruelty in our Habitation*: Of which every Good Man will ſay, *Oh my Soul, come not thou into their Secret, unto their Aſſembly, my Honor be not thou united: for in their Anger they would have ſlain a Man*, the Man that is the Repreſentative of God: *and in their ſelf-Will they would have digg'd down a Wall*, the

12 *Car.* 2. 30.

Gen. 49. 6, 7.

Wall of Government. *Curſed be their Anger, for it was fierce, and their Wrath, for it was cruel; let 'em be divided in our Jacob, and ſcattered in our Iſrael.*

But Peace and all the Bleſſings of it, the
Gen. 27. 28. *Fatneſs of the Earth and the Dew of Heaven* be upon all the Great and Pious Souls, that have dar'd to be Loyal in the worſt of Times: who have in their ſeveral Stations contributed to ſtem that Popular Torrent of Faction and Sedition, which threatned an Inundation: and have ſtood like Rocks unmov'd in a Tempeſt, and even ſav'd ſome that were floating upon the Billows.

Sincerity and Perſeverance to thoſe that have ſeen their Errors; Conviction and Repentance to them that don't: And to all of us a deep and ſerious Senſe of Religion, which directs our Obedience to its holy Author and his Vicegerent. And ſince the Scriptures have no leſs
Prov. 24. 21. Luke 20. 25. 1 Pet. 2. 17. than thrice very nearly united our Duty to God and the King, What the Holy Ghoſt has joyn'd together, let no Man put aſunder.

Let not thoſe that would be thought zealous in the Service of their God, plead a Diſpenſation thence for Diſhonouring their King either in their Actions or in their Words. Nor thoſe that

that value 'emſelves from their Fidelity to their Prince, expect with this Offering to compound for Affronting their Maker by indulging 'emſelves in any pleaſing Vice, which will certainly unhallow their Sacrifice of Loyalty.

But, oh! thoſe happy Times are yet to come, which our *Royal Martyr* pray'd (with whoſe words I end) might once attend his *Son*. Εικὼν Βασιλικὴ, Papers to the Prince.

Wherein his Subjects by their Miſery will have learn'd that Religion to their God and Loyalty to their King, cannot be parted, without both their Sin and their Infelicity.

Oh! When will they once be! Come Lord Jeſus! let 'em come quickly! and let every Good Man ſay, *AMEN.*

FINIS.

ERRATA.

PAge 12. l. 1. *Caſe* r. *Cart.* p. 14. l. 2. r. *War is.* p. 16. l. 8. r. *ran in.* l. 16. r. *print.* p. 25. l. pen. r. *Proſecutors.* p. 32. l. 9. after *Loyola*, add *for depoſing and King-killing Principles.*

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